

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

EARL JAMES GOBIN,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

No. 2:20-cv-1044-MJP

**STIPULATION AND ORDER  
REGARDING BRIEFING  
SCHEDULE ON DEFENDANT'S  
RULE 12(b)(6) MOTION TO  
DISMISS FIRST AMENDED  
COMPLAINT**

Note on Motion Calendar:  
October 15, 2020

**STIPULATED MOTION**

Pro se Plaintiff Earl James Gobin ("Plaintiff") and Defendant Microsoft Corporation ("Microsoft" or "Defendant"), by and through its counsel of record, stipulate and agree as follows:

1. On September 24, 2020, Microsoft timely filed a Motion to Dismiss Plaintiff's complaint pursuant to Fed. R. Civ. P. 12(b)(6). Dkt. 30.
2. On September 28, 2020, Plaintiff filed an Objection to Motion to Dismiss filed by the Defendant. Dkt. 33.
3. On October 9, 2020, Plaintiff filed a document entitled "Amended Pleadings," which the parties agree constitute Plaintiff's first amended complaint ("First Amended Complaint"), and is now the operative pleading in this action. Dkt. 37.

4. In light of the First Amended Complaint, Microsoft's pending Motion to Dismiss (Dkt. 30) is moot.

5. For clarity, the parties stipulate and agree to the following briefing schedule:

- a. Microsoft's Rule 12 motion to dismiss Plaintiff's First Amended Complaint shall be due on or before October 30, 2020.
- b. Plaintiff's response to Microsoft's motion to dismiss shall be due on or before November 25, 2020.
- c. Microsoft's reply in support of its motion to dismiss shall be due on or before December 4, 2020.

IT IS SO STIPULATED. The parties respectfully request that the Court grant the relief sought by this stipulated motion pursuant to LCR 10(g).

DATED this 15th day of October 2020.

Earl James Gobin  
*Pro Se Plaintiff*  
(via email authorization)

Davis Wright Tremaine LLP  
*Attorneys for Defendant Microsoft*

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**ORDER**

IT IS SO ORDERED. The briefing schedule for Microsoft's Rule 12 motion to dismiss Plaintiff's First Amended Complaint (Dkt. 37) is as follows:

- a. Microsoft's Rule 12 motion to dismiss Plaintiff's First Amended Complaint shall be due on or before October 30, 2020.
- b. Plaintiff's response to Microsoft's motion to dismiss shall be due on or before November 25, 2020.
- c. Microsoft's reply in support of its motion to dismiss shall be due on or before December 4, 2020.

Dated: October 16, 2020



Hon. Marsha J. Pechman  
United States District Judge